PRESERVED

App. F. IX-4

Previous References

(1939. Court)

File No. 104-39.

Serial Nos. 1 & 2.

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two only.

PRESERVED

Part B for February. 1940.

SUBJECT.

Working of the Village Munsiffs' Courts in the State for the year 1938-39

the previous year.

Records.

The Deputy Commissioners of Bangalore, Mandya, Hassan, and Kadur, as in the previous year, have given no information about the despatch of records in cases disposed of in the various village Munsiffs' Courts to the respective Munsiffs' Courts. The Deputy Commissioners of other Districts report that the record in cases disposed of in most of the village Munsiffs' Courts in their Districts are being sent to the Munsiffs Courts concerned and that necessary instructions were issued to Amildars in the matter.

Inspections.

The total number of Courts inspected (by the Deputy Commissioners, Sub-Division Officers and Amildars) during the year under report was 73 against 88 in the previous year.

General.

In regard to the 6 Courts, which did not work, though there were some cases pending on their files at the beginning of the year, and in regard to Courts in which no cases was filed, the Deputy Commissioners concerned should consider whether these Courts ought not be abolished.

M. Samaiengar

REGISTRAR.

Brief review on the working of Village Munsiffs Courts in the State during the year 1941-42.

I (a) The number of Courts in existence at the end of the year was 113 against 117 in the previous year. During the year under report 4 courts (1 in the Tumkur District and 3 in the Shimoga District) were abolished, as they were not working properly.

(b) In 42 courts no suit was filed, and 3 Courts (5 in the Bangalore District and 1 in the Kolar District) did not dispose of any suit though there were suits pending on their files. The number of Courts which tried cases was 75 against 81 in the previous year. (vide

Dear Mr. Ponnegar,

I am much obliged to you for having promptly sent me a copy of the Brief Review on the working of Village Munsiffs' Courts in the State during the year 1941-42. I have gone through it and am therefore returning the same herewith as desired by you.

Thanking you,

Yours sincerely,

3rd May 1943.

6207/43

P

Office of the Deputy Commissioner,
Mysore District,
Dated, Mysore, the 21st February 1944.

Cl.2875/42.

From

C.H.RANAJODHA SINGH, Esq.,B.A.,
Deputy Commissioner,
Mysore District, Mysore.

DEPTT. OF LAW
23 FEB 1944
GOVT OF MYSORE

To.

C. NARAYANASWAMI NAIDU, Esq.,B.A.,B.L.,
Secretary to Government of Mysore,
Law Department, Bangalore.

Sir,

With reference to your letter No.P.5421-29/Cts 213-42-1 dated 4th February 1943 calling for my opinion regarding charges in the system of work connected with the village courts in the State, I have the honour to state that I am in favour of the introduction of the several charges under contemplation, as, I think, they go a long way to improve the working of the Village Munsiff's Courts.

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Mysore District.

Appendix F. G.—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *194*

Date of issue..... 12-11-43

Signed by..... Mr K.P.P

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. P. 3396-17

To

Dear Sir

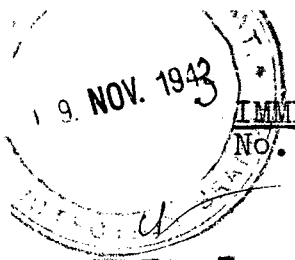
I am desired to invite reference to this office letter No P 1421-29/Gts 43-42-1 dt 4.2.1943 and to the subsequent reminders thereto in the matter of effecting certain Changes in the System of work Connected with the Village Courts in the State and to request you to be so good as to furnish Govt with a report in the matter immediately

Yours Faithfully

WD 04161—GPB—60,000—24-10-41

1) Md. Ismail Sheriff Sr BA BL

1. Md. Ismail Sheriff Sr BA BL



IMMEDIATE.
No. J1-C. 876/42-43.

Office of the District Magistrate,
Bangalore District,
Dated, Bangalore, 15th Novr. 1943.

To

C. Narayanaswami Naidu, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

Subject:- Changes in the system of work connected with the Village Courts.

With reference to your letter No.P.5421-29 CTS. dated 4-2-43 on the above subject, I have the honour to state that the changes proposed may, with advantage, be tried in selected areas to begin with and on the experience gained, this system may be extended to the whole State.

I have the honour to be,
Sir,
Your most obedient servant,

for District Magistrate, 16/11
Bangalore District.
In absent on Tour

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSOI

No. P 1123-24

General and Revenue Secretariat,

Dated Bangalore,.....16th..August.....*1943*.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Deputy Commissioner,
Mysore & Bangalore District.

SIR,

I am directed to invite reference to my letter No.P 5421-29/Cts.213-42-1 dated the 4th February 1943 and to the subsequent reminder No.P.8741-44 dated the 26th ay 943 calling for your opinion in the matter of effecting certain changes in the system of work connected with the village Courts in the state and to request you to be so good as to furnish you report on the subject immediately.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Gover ment,
Law Department.

establishment of one clerk and an inspector to be sanctioned.

I have the honour to be,
Sir,
Your most obedient servant,

DEPUTY COMMISSIONER,
Chitaldrug District.

GOVERNMENT OF MYSORE

le gram
. phone

OFFICE OF The Deputy Commissioner,
Chitaldrug District,
Chitaldrug.

o. M5.C.2172/42-43.
ncls.

Date 24th June 1943.

C.Narayanaswamy Naidu, Esq., B.A.,B.L.,
Secretary to Government - Law Department,
B A N G A L O R E.

Sir,

SUBJECT:- Regarding the changes proposed to ensure efficier discharge of work by the Village Munsiff's Courts
====

With reference to your letter No.P.5421-29/Cts. dated 4th Febru ary 1943 calling for opinion in the above matter, I have the honour to state that the local jurisdiction of the Courts may be extended to 7 or 8 miles and the villages within that area may be grouped together. Two Village Munsiffs may be appointed for each village.

The changes suggested in questions 2 and 3 will provide more scope for the better working of the courts and as suggested under question No.4, a clerk may be appointed to each Court as its jurisdiction will be extended, with the consequent increase in work. One of the two Munsiffs may be elected to be in administrative charge of the court as proposed.

An Inspector of Village Munsiff's Courts may be appointed for each District under the control of the District Judge who will issue suitable instructions regarding the work of the Inspector.

The pecuniary jurisdiction of the Courts was raised from Rs.20/- to Rs.40/- as per letter No.P.421/Cts.18-7-28 from the Secretary to Government, Law Department, to the Revenue Commissioner in Mysore. With the extension of the local jurisdiction of each court the pecuniary

in a hobli.

2 and 3). No change appears to be necessary.

4. A clerk may be appointed to each court to give him sufficient work, the jurisdiction of the court may be sufficiently large. It can be extended to a minimum of one or two hoblies or a group of 50 villages.

5. The appointment of an Inspector of Village Courts under the control of the Deputy Commissioner for each District seems to be necessary for the efficient discharge of work and supervision over the village courts, as suggested.

6. No change is necessary.

7. In addition, I would suggest regular payment of contingent grants, supply of stationery and ~~paper~~ forms, and a portion in the Taluk or ~~Taluk~~ Municipal Office as a place for enquiry.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Tumkur District.

From

K.Srinivasan, Esq: B.Sc;
Deputy Commissioner,
Tumkur District, Tumkur.

To

C.Narayanaswamy Naidu, Esq: B.A.B.L.,
Secretary to Government of Mysore,
Law Department, Bangalore.

Dated 3rd June 1943.

Despatched

Received

General No. R.M.2.C. 3211/42-43
No.

Enclosure No.

Sir,

With reference to your letter No.P.5421-29/Cts. dated 4th February 1943 calling for my opinion in the matter of effecting certain changes in the system of work connected with the Village Courts in the state, I have the honor to state as follows:-

1. Villages within a convenient area may be grouped together and a bench of at least three villag Munsiffs appointed for each group of such villages ir

No.R.M.2.3211/42.43.

Office of the Deputy Commissioner,
Tumkur District.
Dated, Tumkur, the 28th May 1943.

SECY. LAW DEPT. GOVT OF MYSORE

To

C. Narayanaswami Naidu, Esq:, B.A.,B.L.,
Secretary to the Govt: of Mysore,
Law Department, Bangalore.

Sir,

With reference to your letter No.P. 8741-44 dated 26th May, calling for my opinion in the matter of effecting changes in the system work connected with the village courts, I have the honor to state that the report called for from the Madhugiri Sub Division Officer in the matter has not been received as yet. He has been reminded to expedite the reply. On receipt of the report from the Sub Division Officer, a final reply will be sent on the subject.

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner,
TUMKUR DISTRICT.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P 8741-44 General and Revenue Secretariat,

Dated Bangalore, ...26th May 43

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department.

To

The Deputy Commissioner, of Bangalore, Kolar, Tumkur and Chitaldrug Districts

SIR

I am directed to invite reference to my letter No.P.5421-29/ RS.213-42-1 dated the 4th February 1943, calling for your opinion in the matter of effecting certain changes in the system of work connected with the Village Courts in the State and to request you to be so good as to furnish your report on the subject immediately.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department.

No. L.Dis. M2. C. 1530/42.

Office of the Deputy Commissioner,
Mandya District,
Dated, Mandya, the 1st April, 1943..

From

Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner, Mandya District,
Mandya.

To

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Secretary to Government, Law Department,
Bangalore.

Sir,

Subject:- Working of the Village Munsiffs' Courts in the State and the changes proposed.

- : -

Adverting to your letter No. P. 5421-29/cts. dated 4th February 1943 requesting me to furnish my opinion on the proposed changes in the working of the village Munsiffs' courts in the state, I have the honour to state that the changes proposed are quite suitable and --- that if adopted, would go a great way for good working of the village Munsiffs' Courts.

I have the honour to be,
Sir,
Your most obedient servant,

Mir Safdar Hussain

DEPUTY COMMISSIONER,
MANDYA DISTRICT.

their work according to a programme.

5. The next point viz., the appointment of an Inspector for the inspection and guidance of these courts for each District does not also appear to be a sound proposal for the reason that while the scheme would be costly the Inspector would not be able to instruct about 150 to 200 courts every month even if he were to tour for all the days of the month. Instead of this arrangement, the Munsiff having jurisdiction over the village courts established may be entrusted with the work of guiding the Village Courts in their work and he may, for this purpose be authorised to conduct test inspections also occassionally.

6. The last point viz., the jurisiduction of the Village Courts will be exclusive up to a limit, but that a revision may lie to the Court of the Munsiff appears reasonable and may be given effect to.

With these modifications the scheme may be given effect to.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District.

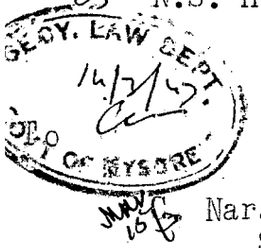
Office of the Deputy Commissioner,
Hassan District,

No:L.Dis.C4.C.3165/42-43. Dated Hassan, the 13th March 1943.

From

N.S. Hirannayya, Esq., M.A.,

Deputy Commissioner, Hassan District.



To

Narayanaswamy Naidu, Esq., B.A.,B.L.,
Secretary to Government, Law Department
B a n g a l o r e.

Sir,

Subject:- Improvement of Village Munsiff's Courts in the State.

With reference to your letter No.F.0421-28 Cls.dated 4-2-1943.ca for my opinion in respect of certain changes contemplated by Governme for the improvement of Village Munsiffs' Courts. I have the honor to as follows:-

(1) About 10 or 15 villages may be grouped together and one Villag Munsiff appointed for each village instead of two as contemplated as would be difficult to secure literate and qualified men for this work villages

2. The second point viz., that if both parties agree any one of the Munsiffs in the group may decide their suits, may be given effect to.

3. The third point raised viz., that the decision might be by a bench three Munsiffs, one to be selected by the Plaintiff, the other by the defendant and the Chairman by these two Munsiffs, does not seem to requ any fresh sanction as this has been already provided for in Secti.... .... the Village Courts Regulation.

4. The fourth point is the appointment of a clerk to each of such Courts. On an average about 15 to 20 courts will have to be formed for each Taluk and taking the minimum pay of a clerk at Rs25/- per month, the cost on this account might come up to about Rs 4 lakhs per annum at the lowest and the scheme does not as such commend itself. Instead a clerk o Rs25/- might be appointed for the whole Taluk and he could be put in charg of all the Courts of the Taluk, if only the court-

the Munsiffs in the group, one Munsiff being chosen by each party and the chairman selected by both, and the decision in the ~~latter~~ latter being based on the opinion of the majority. This is virtually the same as the Bench constituted under Section 6, with the difference under the present system, the list of persons eligible to sit as members of a Bench is prepared by the Deputy Commissioner before ha and the Muhsiff presiding over the Bench always remains the same, w the proposed change gives scope to the parties to select their own Munsiffs and Chairman, from among the Munsiffs appointed for the several villages in the group. The practical advantage of the proposed scheme could only be gauged with reference to statistics relating to these courts and the interest evinced by the public in them after the scheme is tried for some time.

3. So far as this district is concerned, there were only thr village Munsiffs' courts at the beginning of the current official year, that is at Sringeri, Birur and Kalasa and in the last-named practically no cases were filed for some time past and the court ha to be recommended for abolition. Before recommending for its abol the question of continuing it with its jurisdiction extended to th entire hobli was thought of but on obtaining statistics from the Munsiff's Court, Chikmagalur, relating to the suits under the vill Courts Act, pertaining to Kalasa Hobli, it was found that not a si suit had been filed from the entire hobli during the past three years It looks as though people in this district are not interested in taki petty suits before courts.

4. No change is therefore necessary in this district either in the procedure of appointing village Munsiffs or in the mode of trial the suits. There is no necessity also for appointing full time clerk and an Inspector for the village courts in this District, as only two village courts are functioning at present and they have very little

I have the honour to be,
Sir,
Your most obedient servant,

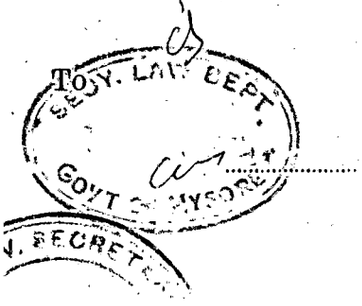
Assistant Commissioner
for Deputy Commissioner,
Kadur District.

OFFICE OF THE DISTRICT MAGISTRATE, and
Deputy Commissioner,
KADUR DISTRICT.

Chikmagalur dated 26th Febr. .....1943.

FROM

~~xCxSxKUPPUSWAMIENGARxEsqurex~~
The Deputy Commissioner, & *District Magistrate,*
Kadur District.



To
The *Secretary to the Government of*
His Highness the Maharaja of Mysore,
Law Department, *BANGALORE.*

1. FEBR, 1943

Adverting to your letter No.P.5421-29/Cts.dated 4-2-1943, proposing certain changes in the present system of work in the Villa Munsiff's Courts and calling for my opinion thereon, I have the hono to state as follows:

1. As per Sec. 3 of the Mysore Village Courts Act, a court Establishmed under the Act shall be held before a Village Munsiff o a Bench of more than one Judge constituted under the Act. In additi to the appointment of a Village Munsiff provided for under Section 4 the Act, Section 6 provides for the constitution of a bench for the decision of suits, a list of persons residing in the village and qua fied to sit as members of a Bench being prepared by the Deputy Commi sioner. Under this section, the parties to a suit may either elect have it decided by the Village Munsiff himself or claim its trial by Bench of three judges and while so doing, each party may nominate on person from the approved list as a member of the Bench. But Village Munsiff appointed for the court by the Deputy Commissioner presides over the Bench under the present system.

GOVERNMENT OF MYSORE

Telegraphic Address

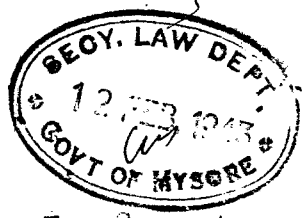
OFFICE OF

The Deputy Commissioner,

Kolar District.

No. Jl.C.934/42-43.

Encls. 4



Date 10th February 1943.

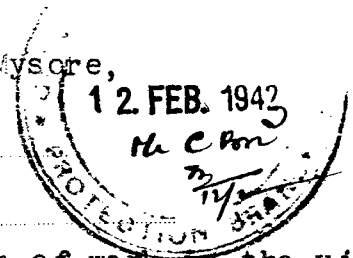
~~XXXXXXXXXXXXXXXX~~ ENDORSEMENT.

To

The Secretary to Government of Mysore,

Law Department,

Bangalore.



Subject:- Proposed changes in the system of work in the village Munsiff Courts of the State.

Sir,

With reference to your letter No.P.5421-29/Cts. dated 4th Feb. 1943, calling for my opinion on the several changes proposed to be introduced, for ensuring the efficient discharge of work, I have the honour to state, that the changes contemplated may be introduced and tried for some time as an experimental measure. As regards the power of Supervision, the District Judges may be entrusted with the duty, as the work entrusted to the courts is of Civil nature.

I have the honour to be,
Sir,
Your most obedient servant,

G. Venkata Krishna Rao

For Deputy Commissioner, Kolar,
(Absent from station)

GOVERNMENT OF MYSORE

Telegraphic Address

OFFICE OF
the Deputy Commissioner,
Shimoga District,
Shimoga,

No. M.4.C.1882-235/42-43.
Encls.

Date 24th February 1943.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Sir, Subject:- Village Munsiff Courts- Changes in the present system of work in contemplation.

With reference to your letter No.P.5421-29/Cts dated 5-2-1943 on the above subject, I have the honour to state that I agree with the changes proposed in the present system of work in the village Munsiff Courts.

I have the honour to be,
Sir,
Your most obedient servant,

25/2/43.

Deputy Commissioner,
Shimoga District.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

5 It seems necessary to appoint an Inspector of ~~Native~~ Village Munsiffs' Courts for each District in the State under the Control of the District Judge or Deputy Commissioners whose function would be to inspect every Court once a month and give guidance re. disposals and also legal advice in cases involving any question of law. ~~But to~~ ~~to~~ ~~limit~~ the

6 up to a limit their ~~limit~~ jurisdiction will be exclusive but a revision may lie to the Court of the Munsiff

I have etc

for Secy to Govt
Law Dept

view a view to ensure efficient
discharge of work by these
Courts, ~~I am to suggest~~
the following ~~improvements~~
Changes in the present ~~the~~ system
of work / ~~and~~ to request that
Govt may kindly be furnished
with your opinion ~~in the~~
~~matter~~ at a very early date.

1. Villages within a convenient
area may be grouped together
and two village Munsiffs appointed.
for each village.

2 If both parties agree any one
of the Munsiffs in the group may
decide their suits.

3. If they so prefer, the decision
will be by three of the Munsiffs in
the group, one to be chosen by each
party and the Chairman selected by the
two ~~selected~~, the decision being
given by the majority.

4. A clerk will be appointed to
work in each of the Courts, and one of
Munsiffs elected by them ~~parties~~ will
in administrative ~~control~~ charge of the

Appendix F. G.—1]

SUBJECT.....

.....

Section C5

File No. 213-42

Serial No. 1

Diary No. of letter replied to.....

No. PS421.29/Cto

General and Revenue Secretariat

( )

the *194*

To

The Deputy Commissioners

of Distns

Date of issue..... 4/2/63

Signed by..... Mr. K.P.P.

Sir

I am directed to state that on a reference to the reports on the working of the Village Munsiffs' Courts in the State for the ~~past~~ Several Years past, it is observed that these institutions are not working as satisfactorily as was anticipated at the time of establishing them in Several parts of the State.

D. C. Mysore, D. C. Shimoga, D. C. Mandya)

All the three Deputy Commissioners agree wholly with the Changes Proposed.

D. C. Kadur.

States that the Proposed changes are not necessary with reference to Kadur District.

D. C. Kolar.

agrees with the changes and states that they may tried for some time that the Districts may be entrusted the supervision work.

D. C. Hassan

Is in favour of grouping some villages and appointing one Munsiff for each village and states that no such Commission is necessary the decision being by a Bench of three Munsiffs as it has already been Provided in Section 6 of the Village Courts Regulation. He is in favour of the appointment of a clerk for each Taluk, but not in favour of an Inspector

D. C. Bangalore

Agrees with the changes Proposed but is of the opinion that they may be tried in selected areas first before extending the same to the whole State.

D. C. Tumkur

Agrees with the changes but is of the view that at least 3 village Munsiffs may be appointed for each group of villages and that a Contingent grant, supply of stationery forms for the Court and a Place in the Taluk office as Municipal office as a Place of

No of Suits instituted	No of Suits pending from previous year	Total for disposal	Disposed of
1935 147	6	153	148
[illegible] 45	5	51	[illegible]
[illegible] 40	22	62	32
[illegible] 9		9	7
[illegible] 9	2	11	11

Madras

	No of Suits instituted	No of Suits pending from previous year	Total for dis
1936	81830	8778	90
1937	62916	8043	717
1938	56120	8784	643
1939	58524	7314	658
1940	53877	7536	614

Even in Baroda & Madras the

village communities have not been

so much as the following

Rules may accordingly

(3) If they do not - the decision will be in accordance of the Rules of the Court governing each case

The chairman by the two selected the decision shall be by the majority.

(4) A decision may provide for each case. The decision of one of the Rules of the Court by by them will be in accordance of the case -

There must be an Umpire in case of difference of opinion between the 2 Judges of the Magistrate who in which case will be in accordance of the majority

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Notification

The Village Court established at Akkihebbal, Krishnarajpet Taluk in pursuance of Govt Notn No J 3283 /cts 110-13-27 Dt 29th March 1915 is hereby abolished.

By order

Secy to Govt
Law Depr

To
The Compiler Mysore Gazette
for publication

Copy to (1) The Revr Commr
With records

(2) The D.C. Mandya
Dist

Letter No.M2.C.3477/39-40 dated 10-7-1942,from the Deputy Commissioner ,Mandya to the Revenue Commissioner in Mysore.

Re.abolition of the Village Munsiffs Court at Akkihebbal, Krishnarajapet taluk.

Adverting to your docket No.C.4927/41 dated 8-2-1942,calling for further report on the subject, I have the honour to state that the villagers of Akkihebbal,who were consulted in the matter of continuance of the Court or otherwise,have stated that the Court has not worked since 1934,there being no institution or disposals of any kind and that no cases are also pending and that as there is no use in having the Court,they pray for its abolition. The Amildar and the Sub Division Officer also support the view of the villagers.

The number and date of the Government order establishing the Court is reported to be G.3283-Cts.110-13-27 dated 29th March 1915, where in it is stated that the Village Courts have been established in Bangalore,Mysore and other districts. No copy of the Government order is available either in the Village Court on in this office . A reference to it can be found in the abstract proceedings in the proceedings book for March 1915.

The number and date of the Government order as given by the Amildar in his report No.I.C.61/39 dated 29-6-1942,appears to be slightly incorrec

As already reported in this office letter of even number dated 27-9-4 orders of Government may kindly be obtained for the abolition of the Court t Akkihebbal as it is not functioning at all. The vernacular file accompanies.

C. 4927/41-42
Letters & Reports.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE

Dated Bangalore, ...28th..July.....*194* . 2

FROM

Rajaseva prasakta
B.T.Kesavaiengar.Esq.B.A.,
Revenue Commissioner in Mysore.

CHIEF SECRETARY
31. JUL. 194
GOVT. OF MYSORE

GENL. & REV. SECRETARIAT BRANCH.
1. AUG 1942

TO

Gulam Mohiyuddin Mehkri.Esq.B.A.,LL.B.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore

SIR,

Subject:— Re. the abolition of the village Munsiff's Court at Akkihebbal Krishnarajapet taluk.

In forwarding herewith a copy of the letter No.M2.C.3477/39-40 dated 10th July 1942, received from the Deputy Commissioner, Mandya District on the above subject, I have the honour to recommend that in the circumstances reported by the Deputy Commissioner, the Village Munsiff Court at Akkihebbal Krishnarajapet taluk may be abolished as it is not functioning properly.

The connected vernacular records accompany.

I have the honour to be,

Sir,

Your most obedient servant,

under reference are returned herewith

Please
ack
receipt
Govt
Law Dept.

cal Revenue Officers understan
e Spirit of the Scheme
and give ~~the~~ proper
guidance and encourag
the Village Heusiffs

I am accordingly
o request You to be
good as to issue neces
instructions to the Cou
authorities to spare n
efforts to see that t
Court functions effici
in future.

Extracts from Govt N
No J 3283 /Cts 110-1
27 Dy 29-3-1915 passe
establishing among other Village Court
at Akkiheltal are endo
herein for reference of t
local Officers.

The enclosures recei
With your lette

Dy 31.8.42 — The Revenue Commissioner
in Mysore

Sir

With reference to Your
letter No C 4927/41-42
Dy 28.7.1942 recommending
the abolition of the Village
Court at Akkihebbal, I
am directed to state that
the records of ~~the Case~~
~~Referred With Your letter~~
~~under Reference~~ show that
the local Offices Concerned
have not taken steps
to fill up the Vacancies
of the posts of
the Village Munsiff
and to afford them
other facilities needed
officers Work

This Court did good
work in the past and it
can do so again if

Send for the
required literature
&c. The working of
village councils in
Burma & Madras

Yours &c
Alan Cadell

Abolition of the Village Munsif Court at Akkichebbal —

General and Revenue Secretariat — File No. S 2 of 194 2 [App. F. III-2

Serial No.	
2	Issued letter No. P. 1459 dated 31st August 1942 to the Revenue Court requesting him to issue necessary instructions to the Concerned authorities to Spare no efforts to See that the Village Court at Akkichebbal functions efficiently in future — .

Thro' me to the above - Copies of the ~~letter~~ of 29-3-1915 & extract from this of Jurors may be sent for upper level officers, as the Command need show that they have not got both them for upper level this may be depend upon 'Maharajas' for it -

5) Application of letter &c
Please expedite the file must
S/ I wanted about wiring to
Cmd. re this up to 9/1915

Abolition of the Village ... Court at Ak ...

General and Revenue Secretariat | 15 File No. | of 194 | [App. F. III-

Serial No.

From

The Revenue Commissioner in Mysore

No C 4927 /41-42 Dt 28.7.1942

Recommends the abolition of the Village Court established at Akkihebbal, Krishnarajapet Taluk.

Submitted with References and a draft of a Notification for approval or other orders

2) May be approved

Law Secretary 3/8/42

OFFICE OF THE MINISTER FOR LAW AUG 7 1942 No.

SECY. LAW DEPT. 1481 6 AUG 1942 GOVT. MYSORE

Cpr 6/8

3/

May be published as it is proposed to be set aside conducing justice

Minister for Law 6/8/42

3/8/42

4) The records show that the local offrs have not taken steps to ~~Conciliate~~ fill up vacancies of jurors & give other facilities necessary for efficient work. Akkihebbal has done good work in the past. With regard to organisation of the Village Courts the Rev offrs should understand the spirit of the scheme and give the fullest assistance for encouragement

General and Revenue Secretariat. | File No. | of 19 .

Serial No.

REV. SECRETARIAT 5 - JAN 1942 Appt. III-2

36/1/42 P

1) Law Secy

Please put up previous files about proposal for improvement in the working of Village Courts & submit a note in the light of the working of these Courts during the last 5 years.

4-1-42

Hm 2 5.1.42.

3 371/42

The marginally noted Courts Collections embodying the reviews on the working of the Village Courts in the State for the past 10 years are submitted herewith for reference.

cts 95-33 - 1/2
cts 71-34 - 1/2
cts 93-35 - 1/2
cts 110-36 - 1/2
cts 93-37 - 1/2
cts 81-38 - 1/2
cts 101-39 - 1/2
cts 152-41 - 1/2

Courts Coll^n for 1940-41 is not readily available but the necessary figures have been incorporated in the note.

cpm 4/2

3) It is submitted that in all these files no action was however contemplated to formulate any definite rules for the improvement of the working of these Courts.

4) In the review on the working of these

Courts year after year, the attention
the Revenue authorities was drawn
to the fact of inadequate inspection
of the Courts and the Revenue Commissi
was requested to issue necessary
instructions in the matte

2) Reference is respectfully invited to
the Minute Dt 18.11.1935 in paras
(2) & (3) of the Order in Cts Collection No
93-35 on the subject. It is submit

Serial No.

8) There does not seem to be any adequate provision either in the Act for the regular annual inspection of the work of the Village Munsiff. Under Sec 75 of the Act the High Court has the power to call for returns in prescribed forms from the village Courts & under Sec 75(a) (1) either the District Judge, or the Deputy Commissioner or the Munsiff may call for & inspect the Registers & records of the Village Courts & under (b) (2) the D.C. has power to authorize any Revenue Officer below the rank of the Assistant to inspect the Registers & records of Village Courts.

9) I feel that an account of improper or inadequate control of the work of the Village Munsiff, Shackles has crept in. The provision is made in the Act for annual inspection, I think, this should be improved & will be shown.

10) Generally, the Village Munsiff has to do civil work & the appellate authority is the Munsiff — (vide Sec 73) — it would be better, if the Munsiff is empowered to inspect the Village Courts every year

General and Revenue
Secretariat.

Serial
No.

MAR 5 1942
8812

Courts either by District Courts or by
High Court, ~~[illegible]~~ if there is done
there will be a check on the working
of the Village Courts.

11) Further, an honorarium
may be given to each Village Headman,
~~[illegible]~~ there will be an incentive
to the Village Headman to discharge his
work efficiently & promptly.

12) The Rev. Authorities may
be deprived of their control over the
Village Courts, & the High Court may
be invested ~~[illegible]~~ with the power of
control.

13) It need be the High
Court may be Executive, & therefore it not
be occupied [illegible]

Law Secretary
24/2/42

14) The working of the Village Munsiff
Courts is not quite satisfactory.
In 1940-41 suits were instituted in 61
out of 117 Courts. The people do not seem
to have confidence in these Courts. The
Civil Court may be connected as to

Serial No.

15) The opinion of the Law Secy is that of the lawyer (the English educated lawyer) and of the townsman. It is the opinion of the luxuriating citizen. But the proper view is to find out what should be done to ~~Bring~~ these courts are not popular, when they offer a cheaper method of settling monetary disputes, one which is nearer than homes and more in consonance with Indian traditions. We are now on the threshold of a reorientation of our Social, Economic & political life on simpler, cheaper and more homely lines. India's Contribution will, I am confident, be along lines of showing up the hollowness of the ~~Capitalistic~~ organisation dependent on copied from elsewhere and the stability of local organisation in which the best of the other cultures is absorbed and not merely copied or added on.

16) It is necessary to study the working of these Courts in Baroda & Madras & Elsewhere & note the measures necessary to cure present defects.

17) I shall be glad if the Law Secy

Dy Comr prints (Chief Secy, Dwarka, Jamnagar, Pol Secy, Ex Comr, DCP (Mr) & some leaders living in villages & puts up a note after study of the ~~subject~~ reports & literature else in any case. The file might record some abstract 15th April 1942 & we can give some suggestions for

24/3/42

(a)

could not comment as noted Hm 2 24.3.42
vie. A short note may be put up and ~~Re~~ submitted

~~Secretary~~ Secretary } Hm 2 16/3/42

(9) After I gave the note in the file relating to the V.C. comes as Dr Nirmala I gave for the file. I did then I was not aware of the direction I shall do the needful. Today the question I submitted is not early. Please put up I

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Please arrange to get-up necessary papers relating to Village Courts in the Madras and later forward them to me immediately.

26-6-42

21) Kindly take action.

22) Administration Report for the Madras Presidency for the years 1934-36 ... from the Hon'ble Minister

formally and Sent
Bernard

page 2 of the report dea
With the village courts

23) Every attorn was made
collect reports and Acts f
. Madres and Records but

Working of the Village ... Stat

Continuation Sheet. File No. / Current No. of Page.

he file is resubmitted for orders.

The ~~Administration~~ Reports on the Administrat
Civil Justice in the Madras presidency for
years from 1934 to 1940 which were
rned to the High Court for purposes of
paring the report on the subject in Mysore
r 1941-42 were got back last Week. They
bmitted herewith for kind perusal.

A note in english indicating the main features
nd the Working of the Village Munsiffs' Courts
r the past 5 years in the State of Baroda
eceived from that State is also subd herewith.

32) The book Village Courts by Mr R. Srinivasa
Raghava Iyengar* embodying the Acts, Regulations
nd the Rules made under them in the
British Indian provinces and the Indian States
Cited in the margin is also submitted
herewith.

1) Central provinces
2) United Provinces
4) Mysore
5) Travancore

33) As already explained in person by the Addl Sec
and this office, the file was in a cover and
it was ordered to put up when called for. It
s only on being ordered to submit it by th
en Secretary the file was subd for orders.

34) Respectfully submitted for orders.

d No. P - 5^M 421-29 dated 4.2.
Deputy Commissioners of
C. Kolar
934 /42-43 Dt. 10.2.43.

6000/- P Working of the Village Courts in the State

Continuation Sheet. C/5 File No. ~~Current No.~~ 213 of 1941 — Page.

From

The Deputy Commissioner Kaladan District

C 3272 dt 26-2-1941

states, in the circumstances explained, that no change is necessary ~~in the~~ either in the procedure of electing Village Munsiffs or in the mode of trial of suits so far as Kaladan Dist is concerned

submitted for perusal

43) Reports from Bawdwin, Myitkyina, Tharrawaddy, Mandalay, Hanthawaddy districts are awaited.

44) A Consolidated statement will be put up after the receipt of reports from all the districts.

SMG

R

Reports from the DCs of Mysore, B
Tumkur & Chitaldrug have not yet been
received

1) Ltd with draft & fair of reminders

2)

3)

25.5.43

Issued No. P & J 21/1-43 dt 26.

From
The D.C. Tumkur
No R.M. 2-C 3211 dt 3.6.1943
Furnishes his opinion in the matter

From
The D.C. Chitaldrug
No MS C. 212/42-43 dt 14.6.43
Furnishes his opinion in the matter

Replies from the DCs of Mysore and
Bangalore have not yet been received
Draft & fair of 2 letters are
ltd Reminders to the DCs of the above
mentioned—

No reply has been received
to D.S. of Battle of Mytine

D.D. Reminder must issue
Ltd with draft

[illegible]
13/11

Issued [illegible] 12-11

Sent up D.Q. reminders about
this has been pending for so long time.

MAW
22/11/44

With a draft

[illegible]
27/11

Issued 4801 — 28-11-44

ges in the System

File No. Working of the Village
Current No. of Page
Municipal Courts

A National Sta
tement for the use of
the several Deputy
Commissioners of Districts
in regard to the Proposed
Changes in the System &
Working of the Village
Municipal Courts in Place
below. Subsequent orders Keeping
para 35 supra

The Note re: the 3 parties
in the Suit relating to the
Village Panchayat Courts
Judicial powers

3